

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

In re:	<b>HAITH, ETHEL MAE</b>	)	Case No. _____
	<b>aka Mae Haith</b>	)	
	<b>736 BRAMPTON DRIVE</b>	)	
	<b>McLEANSVILLE, NC 27301</b>	)	Chapter 13
		)	
		)	
	SS# xxx-xx- <b>4261</b>	)	
	SS# xxx-xx-	)	
	Debtor(s)	)	

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on **November 13, 2014**.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

## CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

### I. Plan Payments

The plan proposes a payment of **\$ 1,475.00** per month for a period of **36** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

### II. Administrative Costs

#### 1. Attorney fees.

☒ The Attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received **\$ 900** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.

☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

**2. Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses.

### III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. ' 507 will be paid in full in deferred cash payments unless otherwise indicated.

#### 1. Domestic Support Obligations (ADSO@)

a. ☒ None

b. The name, address, and phone number, including area code, of the holder of any DSO as defined in ' 101(14A) is as follows:

Name of DSO Claimant	Address, city & state	Zip code	Telephone number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. ' 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment
		\$
		\$
		\$

## 2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
NC Dept. of Revenue	\$ 202.25

## IV. Secured Claims

### 1. Real Property Secured Claims

- a. ☐ None
- b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-Residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
Freedom Mortgage Corp.	736 Brampton Dr., McLeansville, NC	R	N	\$ 797.33	\$18,911.44	T
				\$	\$	
				\$	\$	

**2. Personal Property Secured Claims**

- a. ☐ None
- b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per ' 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
<b>Regional Acceptance Corp.</b>	<b>2012 Honda Civic LX</b>	<b>\$12,500.00</b>	<b>Y</b>	<b>\$5,293.22</b>	<b>\$125.00</b>	<b>\$210.00</b>	<b>Till %</b>
		\$		\$	\$	\$	%
		\$		\$	\$	\$	%

**NOTE: Debtor proposes to “cram-down” this claim to Regional due to it not being a 910-claim; claim will be paid based on the value of said vehicle (i.e. \$12,500.00).**

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

***To the extent that the valuation provisions of 11 U.S.C. ' 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. ' 1325(a)(5)(A).***

**3. Collateral to be Released**

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
<b>None</b>	

**4. Liens to be Avoided**

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
Cavalry SPV I, LLC	House & lot

**NOTE: Debtor intends to file specific motion to avoid this judicial lien; therefore creditor to be treated as unsecured.**

## V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
None		%	\$
		%	\$
		%	\$

## VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is -0-%.

## VII. Executory Contracts/Leases

a. ☒ None

b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

c. The following executory contract and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the

petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
		\$		\$		\$
		\$		\$		\$
		\$		\$		\$

### VIII. Special Provisions

a. ☒ None

b. Other classes of unsecured claims and treatment

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c. Other Special Terms

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Date: November 13, 2014

/s/Daniel L. Hawkins

Attorney for Debtors

Address: P.O. Box 1379

Graham, NC 27253

Telephone 336-226-1008

State Bar No: 10358

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

In Re:	)	
Ethel Mae Haith	)	
	)	
	)	
SS# xxx-xx-4261	)	
SS#	)	
Debtor(s)	)	

**NOTICE TO CREDITORS  
AND  
PROPOSED PLAN**

Case No. \_\_\_\_\_

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

Reid Wilcox  
Clerk of Court  
U.S. Bankruptcy Court  
Middle District of North Carolina  
P.O. Box 26100  
Greensboro, NC 27402

Anita Jo Kinlaw Troxler  
Chapter 13 Trustee  
Greensboro Division  
Post Office Box 1720  
Greensboro, NC 27402-1720

ADT Security Services  
3190 S. Vaughn Way  
Aurora, CO 80014

AFNI, Inc.  
P. O. Box 3517  
Bloomington, IL 61702-3517

AFNI, Inc.  
P. O. Box 3097  
Bloomington, IL 61702-3097

Alamance Regional Medical Ctr.  
P. O. Box 203  
Burlington, NC 27216-0203

AT&T  
P. O. Box 105503  
Atlanta, GA 30348

AT&T Mobility  
P. O. Box 537104  
Atlanta, GA 30353-7104

Bennington Village Homeowners Assoc.  
P.O. Box 99397  
Raleigh, NC 27624-9397

BROCK & SCOTT, PLLC

5431 Oleander Dr., Suite 200  
Wilmington, NC 28403

Burlington Radiological Associates  
P. O. Box 3169  
Indianapolis, IN 46206

Cavalry SPV I, LLC  
500 Summit Lake Drive, Suite 400  
Valhalla, NY 10595-1340

Chrysler Financial  
P. O. Box 9223  
Farmington, MI 48333-9223

Citi Bank, N.A.  
Customer Service  
Box 6500  
Sioux Falls, SD 57117

CitiBank/Children's Place  
P. O. Box 6497  
Sioux Falls, SD 57117

Cone Health Systems  
P. O. Box 26580  
Greensboro, NC 27415-6580

Diversified Adjustment Service, Inc.  
P.O. Box 32145  
Fridley, MN 55432

Employment Security Commission  
P. O. Box 25903  
Raleigh, NC 27611

FirstPoint Collection Resources, Inc.  
P. O. Box 26140  
Greensboro, NC 27402-6140

Freedom Mortgage Corp.  
P.O. Box 8068  
Virginia Beach, VA 23450

Greensboro Radiology, P.A.  
P.O. Box 26152  
Greensboro, NC 27402

Guilford County Tax Collector  
P. O. Box 3328  
Greensboro, NC 27402

Internal Revenue Service  
P. O. Box 7346  
Philadelphia, PA 19101-7346

Law Office of Eric P. Halus, PLLC  
P.O. Box 537  
Clemmons, NC 27012

LTD Financial Services, LP  
7322 Southwest Freeway, Ste. 1600  
Houston, TX 77074



North Carolina Dept. of Revenue  
Bankruptcy Unit  
P. O. Box 1168  
Raleigh, NC 27602-1168

Regional Acceptance Corp.  
Bankruptcy Section  
P. O. Box 1847  
Wilson, NC 27894-1847

SMITH DEBNAM NARRON  
SAINTSING & MYERS, LLP  
P. O. Box 26268  
Raleigh, NC 27611-6268

Southwest Credit  
4120 International Pkwy, Ste. 1100  
Carrollton, TX 75007-1958

Sprint Nextel  
Attn: Bankruptcy Dept.  
P. O. Box 7979  
Overland Park, KS 66207-0949

Time Financing Service  
P.O. Box 1597  
Burlington, NC 27216

Time Warner-Western Carolina  
c/o NCO Financial Systems, Inc.  
507 Prudential Road  
Horsham, PA 19044

Triad Imaging, Inc.  
2705 Henry Street  
Greensboro, NC 27405

Wake Forest University Health Sciences  
P. O. Box 602598  
Charlotte, NC 28260-2598

Date: November 13, 2014

/s/ Daniel L Hawkins

Daniel L Hawkins 10358